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Attorneys for Plaintiff Edwardo Munoz, and the alleged Class

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

Edwardo Munoz, individually and on behalf of all others similarly situated,

Plaintiff,

v.

7-Eleven, Inc.,

Defendant.

Case No. 18-cv-03893-RGK-AGR

**STIPULATION FOR
EXTENSION OF TIME FOR
DEFENDANT TO ANSWER OR
OTHERWISE RESPOND TO
PLAINTIFF'S COMPLAINT,
AND TO VACATE THE L.R. 23-3
DEADLINE FOR PLAINTIFF TO
MOVE FOR CLASS
CERTIFICATION**

Complaint served: May 15, 2018
Current response date: June 5, 2018
New response date: July 5, 2018

Case Filed: May 9, 2018

1 Plaintiff Edwardo Munoz (“Plaintiff” or “Munoz”) and Defendant 7-Eleven,
2 Inc. (“Defendant” or “7-Eleven”) by and through their respective counsel of record,
3 hereby stipulate as follows:

4 WHEREAS, Plaintiff filed this action on May 9, 2018 (Dkt. 1);

5 WHEREAS, Defendant was served on May 15, 2018 and has a current
6 deadline of June 5, 2018 to Answer or otherwise respond to the Complaint;

7 WHEREAS, 7-Eleven requests, and the Parties stipulate to, an extension of
8 thirty (30) days, or up to and including July 5, 2018, in which to answer or
9 otherwise respond to the Complaint. This request is brought in good faith and not
10 meant for improper delay of this proceeding. 7-Eleven recently retained the
11 undersigned counsel for this action and will use the additional time to review the
12 allegations in the Complaint and draft an appropriate response.

13 WHEREAS, under Local Rule 23-3, Plaintiff must move for class
14 certification within ninety (90) days after serving the Complaint. *See Rocha v.*
15 *Toshinoya West, Inc.*, 2007 WL 8398819 (C.D. Cal. Jan. 8, 2007), Plaintiff’s
16 deadline for moving for class certification is currently August 13, 2018.

17 WHEREAS, the deadline may be moved by Order of the Court. *See L.R. 23-*
18 *3.*

19 WHEREAS, no discovery has begun in the case, which Plaintiff will require
20 to sufficiently file a Motion for Class Certification. Indeed, Defendant has not yet
21 answered and, pursuant to this stipulation, will not do so until just over a month
22 before the current Local Rule 23-3 deadline. Thus, the Parties stipulate that the
23 Court vacate and continue the deadline for Plaintiff to move for class certification at
24 this time. When the Parties file a Case Management Statement, the Parties will each
25 set forth their positions with respect to the case schedule, including new proposed

1 deadlines for a period of class discovery and the filing and briefing of a motion for
2 class certification.

3 NOW, THEREFORE, based on the above stipulation, the Parties respectfully
4 ask the Court to enter an Order:

5 1. Extending the deadline for Defendant to Answer or otherwise respond
6 to the Complaint to July 5, 2018; and

7 2. Vacating the current class certification deadline, with a new date to be
8 established after the Parties submit their Case Management Statement.

9 Respectfully submitted,

10 **EDWARDO MUÑOZ**, individually and on behalf
11 of all others similarly situated,

12 Dated: June 4, 2018

13 By: /s/ Patrick H. Peluso

14 Patrick H. Peluso

One of Plaintiff's Attorneys

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25 *Counsel for Plaintiff and the Putative Class*
26 *pro hac vice

7-ELEVEN, INC.

Dated: June 4, 2018

By: /s/ Julie R. Trotter¹

Julie R. Trotter

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Attorneys for Defendant 7-Eleven, Inc.

¹ I hereby certify that the content of this document is acceptable to Patrick H. Peluso, one of the attorneys for Plaintiff and the Putative Class, and that I have obtained Mr. Peluso's authorization to affix his electronic signature to this document.

1 **CERTIFICATE OF SERVICE**

2 The undersigned, Julie R. Trotter, hereby certifies that a true and correct copy
3 of the above document was served upon counsel of record by filing such papers via
4 the Court's ECF system on June 4, 2018.

5 _____
6 Julie R. Trotter

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